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EXAMINER

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ART UNIT	PAPER NUMBER
2641	

DATE MAILED: 11/30/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.  
09/491,902

Applicant(s)

BATES et al.

Examiner

Daniel Abebe

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on Jan 27, 2000.

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 1-27 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-27 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) All b) Some\* c) None of:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

15)  Notice of References Cited (PTO-892)

18)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

19)  Notice of Informal Patent Application (PTO-152)

17)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

20)  Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1-6, 9, 13-18, 21, 25 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Dunn et al. (US 6,073,103; "Dunn").

As to claim 1, Dunn teaches a method of processing a voice message, the method comprising the steps of:

performing voice recognition on a portion of the voice message to generate textual representation (Fig.2; Col.3, lines 58-64);  
detecting a position of spoken number in the textual representation of the voice message (Fig.3; Col.4, lines 24-40); and

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determining a start position for selectively playing the message (detected numbers) based upon the position of the detected spoken numbers and audibly playing the voice message (Fig.6, 7; Col.6, lines 50-64).

As to claim 2, Dunn teaches wherein the spoken number includes a plurality of digits and occurrence position includes start position of a leading digit (Col.4, lines 24-40; Fig.3, numeral 11).

As to claim 3, Dunn teaches Where the time position corresponding to instants of time at which voice message corresponding to numbers appear prior to the position of the spoken number (Fig.3, numeral 11; Col.6, lines 1-17).

As to claims 4 and 5, Dunn teaches enabling the user to control the message playback by receiving user's input during play out of the numbers to find previous number or going to the next number, including detecting the positions of the numbers (Fig.7B; Col.7, lines 8-18; Col.8, lines 20-27; Fig.1).

As to claim 6, Dunn teaches displaying a portion of textual representation of the message (Fig.3, numeral 11).

As to claim 9, Dunn teaches where the detected numbers include spoken telephone number (Col.4, lines 33-40).

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As to claim 13, Dunn teaches an apparatus, comprising:  
a memory for storing voice messages; and  
a program configured to perform voice recognition on a portion of the voice message to generate textual representation of the voice message, detecting a position of spoken numbers in the voice message, to determine a playback start position of the detected number and to play the message (Fig.2-3, 6; Col.1, line 55-Col.2, line 25).

As to claim 14, Dunn teaches wherein the spoken number includes a plurality of digits and occurrence position includes start position of a leading digit (Col.4, lines 24-40; Fig.3, numeral 11).

As to claim 15, Dunn teaches Where the time position corresponding to instants of time at which voice message corresponding to numbers appear prior to the position of the spoken number (Fig.3, numeral 11; Col.6, lines 1-17).

As to claims 16 and 17, Dunn teaches enabling the user to control the message playback by receiving user's input during play out of the numbers to find previous number or going to the next number, including detecting the positions of the numbers (Fig.7B; Col.7, lines 8-18; Col.8, lines 20-27; Fig.1).

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As to claim 18, Dunn teaches displaying a portion of textual representation of the message (Fig.3, numeral 11).

As to claim 21, Dunn teaches where the detected numbers include spoken telephone number (Col.4, lines 33-40).

As to claim 25, Dunn teaches a program product, comprising:  
a program/software configured to perform voice recognition on a portion of voice message to generate a textual representation of the voice message, including detecting starting position of the spoken number in the text, to determine playback position of the number and to playback the message (Figs.2, 3, 6 and 7);and  
a signal bearing/storing medium for bearing the software (Fig.5, numeral 22).

As to claim 26, Dunn teaches where the software storage medium includes one of a transmission medium and recording medium (Fig.5; Col.5, lines 32-52).

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claims 10-12, 22- 24 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Eting et al. (US 5,651,056; “Eting”).

As to claim 10, Eting teaches a method of processing a voice message, the method comprising:

performing voice recognition on a portion of the voice message to detect/recognize spoken numbers in the voice message (Fig.7); and automatically dialing the detected spoken numbers (Fig.8A).

As to claim 11, Eting teaches wherein the automatically dialing of the recognized numbers is performed in response to user input (Col.13, lines 50-56; Fig.6, 8A).

As to claim 12, Eting teaches where the determined spoken numbers are telephone numbers (Fig.4).

As to claim 22, Eting teaches an apparatus, comprising:  
a memory for storing voice message; and  
a program configured to perform voice recognition on the portion of the voice message to detect spoken numbers, and to automatically dial the detected spoken numbers (Figs.2A, 4, 7 and 8).

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As to claim 23, Eting teaches wherein the program is configured to automatically dial the recognized numbers in response to user input (Col.13, lines 50-56; Fig.6, 8A).

As to claim 24, Eting teaches where the determined spoken numbers are telephone numbers (Fig.4).

As to claim 27, Eting teaches a program product, comprising:  
a program configured to perform voice recognition on a voice message to detect spoken numbers in the voice message and to automatically dial the detected spoken numbers (Fig.7 and 8); and  
a signal bearing/storage medium bearing the program (Fig.3, numeral 430).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 7, 8, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn et al. as applied to claims 1-6, 9, 13-18, 21, 25 and 26 above, and further in view of Eting et al..

As to claims 7 and 19, Dunn doesn't explicitly teach automatically dialing the spoken numbers in the message. However, Eting teaches a method for processing voice messages, comprising the steps of recording voice message, recognizing spoken numbers in the message, a memory for storing the recognized numbers and automatically dialing the spoken numbers (Fig.4, 8A-B; Col.2, lines 20-33). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include the step of automatically dialing the detected numbers, in Dunn's method, as taught by Eting, for the purpose of providing the user an easy access to instantly return calls using the spoken numbers that are detected/recognized by the voice recognition system.

As to claims 8 and 20, Eting teaches wherein automatically dialing of the recognized numbers is performed in response to user input (Col.13, lines 50-56; Fig.6, 8A).

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***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Holm et al. (5,850,629), see abstract and Fig.1.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Daniel Abebe whose telephone number is (703) (308-5543).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch, can be reached at (703) 305-6137. The facsimile phone number for this group is (703)308-6296.

Any inquiry of general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-9600

**Daniel Abebe, Patent Examiner-Art Unit 2641**



November 23, 2001